

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Nafizal Hossain	Art Unit :	1609
Serial No. :	10/575,522	Examiner :	David K. Odell
Filed :	April 12, 2006	Conf. No. :	3659
Title :	NOVEL TRICYCLIC SPIRODERIVATIVES AS MODULATORS OF CHEMOKINE RECEPTOR ACTIVITY		

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed March 30, 2007, applicant elects the invention of Group I, claims 1 - 7 and 9 drawn to compounds and compositions possessing a spirocyclic benzofuran-cyclohexyl core, where in applicant's Markush structure of Formula 1 X is a bond, Y is O, Z is CH<sub>2</sub>, q is 1, R<sub>2</sub>=R<sub>4</sub>=R<sub>5</sub>=R<sub>6</sub>=R<sub>7</sub>=H shown as structure I in Figure 1. The election is made without traverse.

Groups IV and VII are drawn to methods of making and using compounds of Formula 1 as restricted to those covered by the election of Group I. Where claims directed to a product and to a process of making and/or using the product are presented in the same application, and Applicant is required to make an election between the product and related processes, the claims to the nonelected invention will be withdrawn from further consideration under 37 CFR 1.142. See MPEP § 821 through § 821.03. However, if applicant elects a claim directed to a product which is subsequently found allowable, withdrawn process claims which depend from or otherwise require all the limitations of an allowable product claim will be considered for rejoinder. Applicants submit that the withdrawn subject matter can therefore be subject for a rejoinder upon allowance of the elected subject matter as provided under MPEP § 821.04.

Applicant : Nafizal Hossain  
Serial No. : 10/575,522  
Filed : April 12, 2006  
Page : 2 of 2

Attorney's Docket No.: 06275-503US1 / 101244-1P US

Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket no. 06275-503US1.

Respectfully submitted,

Date: April 30, 2007

/Catherine M. McCarty, Reg. No. 54,301/

Janis K. Fraser, Ph.D., J.D.

Reg. No. 34,819

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906